

ITEM NO.33 Court 4 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 4280/2021

(Arising out of impugned final judgment and order dated 09-12-2020 in CA(CAW) No. 327/2020 passed by the High Court Of Judicature At Bombay At Nagpur)

VILAS NAGORAO DHANORKAR & ORS. Petitioner(s)

VERSUS

ORGANIZATION FOR THE RIGHT OF TRIBAL & ORS. Respondent(s)

IA No. 36240/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT & IA No. 36239/2021 - EXEMPTION FROM FILING O.T.)

WITH

Diary No(s). 12656/2021 (IX)

(FOR ADMISSION and I.R. and IA No.70519/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.70520/2021-EXEMPTION FROM FILING O.T. and IA No.70518/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 16-07-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Nitin Meshram, Adv.
Mr. Rishi Raj Singh, Adv.
Mr. Ranbir Singh Yadav, AOR

For Respondent(s) Mr. Pratik R. Bombarde, AOR
Mr. Abhishek Kumar, Adv.
Mr. Devendra Kumar Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

SLP(C) No.4280/2021

It is submitted that during the pendency of
this special leave petition, the writ petition
pending before the High Court has been finally

disposed of. Hence, this petition has become infructuous.

In view of the above submission, the special leave petition is disposed of as having become infructuous, leaving all contentions and remedies, including to challenge the final decision in the writ petition, available to the petitioners, open.

Diary No(s). 12656/2021

Permission to file special leave petition is granted.

The final order dated 16.02.2021 passed by the High Court of Judicature at Bombay, Bench at Nagpur in Writ Petition No.3140 of 2018 disposing of the same as infructuous, is the subject matter of challenge in this special leave petition.

It is not in dispute that the petitioners were not party to the writ petition. Hence, disposal of writ petition as infructuous does not affect the petitioners as such.

The petitioners wanted to become party in the writ petition, which prayer was rejected.

If the decision taken by the State authorities is adverse to the petitioners in reference to the Government Resolution dated

05.06.2018 or the subsequent Government Resolution superseding the earlier resolution, it will be open to the petitioners to pursue remedy as permissible in law before the appropriate forum.

All contentions available to the petitioners in that regard are open.

The special leave petition and pending applications are disposed of accordingly.

(NEETU KHAJURIA)
COURT MASTER

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR